

February 28, 2022

Magistrate Judge Steven L. Tiscione
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Jones
Law Firm P.C.

Re: Additional Alternative Service of Fourth Amended Complaint in *Hammock v. Moving State to State, LLC et al.*, No. 18 Civ. 05628 (E.D.N.Y.)

Judge Tiscione:

I represent the Plaintiffs in the above-captioned action. I write to request additional service be permitted on Yarin Nadel by mailing and emailing Meir Moza, an attorney who is actively representing Yarin Nadel in civil litigation in this District. Plaintiffs respectfully request that Plaintiffs be allowed to also serve Yarin Nadel by mailing Mr. Mora's office and by emailing Mr. Mora's official email account, which is being used to receive ECF notifications from the Court

The relevant background is as follows. On February 16, 2022, this Court granted Plaintiffs' letter request to file a Fourth Amended Complaint. The Court further ordered: "Service of the amended complaint on the individual defendants may be effectuated in the same manner the Court has approved for service of the Third Amended Complaint." ECF No. 64. Plaintiffs subsequently filed the Fourth Amended Complaint. ECF No. 65.

Plaintiffs are serving the complaint in the same manner as the previous complaint — namely, on "defendants' criminal defense attorney, Dmitriy Shakhnevich, both by regular mail to his office and by email to his official email account used to receive ECF notifications from the Court." ECF No. 41 (Court Entry).

However, we now move that the Court allow Plaintiffs to serve one of the Individual Defendants, Yarin Nadel, by serving his current civil attorney in *Perez v. 4017 Wireless Inc.* et al., No. 21 Civ. 06927 (E.D.N.Y.) pending before the Honorable Brian Cogan. *Perez* involves allegations that the Fair Labor Standards Act and New York Labor Law were violated by Michael and Yarin Nadel when owning and operating a cell phone store.

Attorney Meir Moza has appeared and filed an Answer on behalf of the corporate entities and Yarin Nadel.¹ While Mr. Moza states that he is representing Defendants in that case, the beginning of the Answer to the Complaint only mentions Yarin Nadel and, thus, it is unclear as to whether he also represents Michael Nadel. On February 15, 2022, Mr. Moza appeared before Judge Brian Cogan who then entered an order concerning the discovery schedule and noted that the parties had appeared. No mention was made of whether Michael Nadel is being represented by Mr. Moza or not.

However, in light of the fact that Mr. Moza is actively representing Yarin Nadel in the litigation, Plaintiffs respectfully request that Plaintiffs be allowed to also serve Mr. Moza by regular mail to his office and by email to his official email account used to receive ECF notifications from the Court, and that this be allowed to also count as additional service on Yarin Nadel. Mr. Moza was also Yarin Nadel's defense counsel in the criminal case brought against him in addition to Attorney Dmitriy Shakhnevich.

While Plaintiffs believe that the current service is sufficient, Plaintiffs make this motion out of an abundance of caution. I appreciate your consideration of this request.

Respectfully,



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¹ A copy of the Answer is available at
<https://storage.courtlistener.com/recap/gov.uscourts.nyed.473425/gov.uscourts.nyed.473425.10.0.pdf>